

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANTHONY J. PELLICCIA,	:	CIVIL NO.: 1:24-cv-00428
	:	
Plaintiff,	:	(Magistrate Judge Schwab)
	:	
v.	:	
	:	
	:	
LELAND DUDEK, ¹	:	
Acting Commissioner of	:	
Social Security,	:	
	:	
Defendant.	:	

ORDER

February 26, 2025

For the reasons set forth in the Memorandum Opinion filed concurrently with this Order, **IT IS ORDERED** that the Commissioner’s decision is

¹ Leland Dudek is now the Acting Commissioner of Social Security, and he is automatically substituted as the defendant in this action. *See* Fed. R. Civ. P. 25(d) (providing that when a public officer sued in his or her official capacity ceases to hold office while the action is pending, “[t]he officer’s successor is automatically substituted as a party”); 42 U.S.C. § 405(g) (“Any action instituted in accordance with this subsection shall survive notwithstanding any change in the person occupying the office of Commissioner of Social Security or any vacancy in such office.”).

AFFIRMED. The Clerk of Court shall enter judgment in favor of the Commissioner and against the plaintiff and then close this case.

S/Susan E. Schwab
Susan E. Schwab
United States Magistrate Judge